IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

EXECWARE, LLC,)	
Plaintiff,)	
v.)	C.A. No. 12-556 (LPS/SRF)
CVS CAREMARK CORPORATION and C	CVS)	
PHARMACY, INC., Defendants.)	

STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED that all claims and counterclaims asserted between plaintiff Execware, LLC and defendants CVS Caremark Corporation and CVS Pharmacy, Inc. in the above-captioned action are hereby dismissed WITH PREJUDICE by agreement of the parties pursuant to Rules 41(a)(1)(A)(ii) and (c) of the Federal Rules of Civil Procedure, with each party to bear its own costs, expenses, and attorneys' fees.

BAYARD, P.A.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Richard D. Kirk

Richard D. Kirk (#922)
Stephen B. Brauerman (#4952)
Vanessa R. Tiradentes (#53980)
222 Delaware Avenue
Suite 900
Wilmington, DE 19801
(302) 655-5000
rkirk@bayardlaw.com
sbrauerman@bayardlaw.com
Attorneys for Plaintiff Execware, LLC

/s/ Julia Heaney

Mary B. Graham (#2256) Julia Heaney (#3052) 1201 N. Market Street P.O. Box 1347 Wilmington, DE 19899-1347 (302) 658-9200 mgraham@mnat.com jheaney@mnat.com Attorneys for Defendants C

Attorneys for Defendants CVS Caremark Corporation and CVS Pharmacy, Inc.

OF COUNSEL

Marc A. Fenster Fredricka Ung RUSS, AUGUST & KABAT 12424 Wilshire Boulevard, 12th Floor Los Angeles, CA 90025-1031 (310) 826-7474

OF COUNSEL:

Christopher P. Broderick ORRICK, HERRINGTON & SUTCLIFFE LLP 777 South Figueroa Street **Suite 3200** Los Angeles, CA 90017-5855 (213) 629-2020

Karen G. Johnson-McKewan ORRICK, HERRINGTON & SUTCLIFFE LLP The Orrick Building 405 Howard Street San Francisco, CA 94105-2669 (415) 773-5700

Christina Von der Ahe ORRICK, HERRINGTON & SUTCLIFFE LLP 2050 Main Street **Suite 1100** Irvine, CA 92614-8255 (949) 567-6700

May 10, 2013 7198212

SO ORDERED this _____ day of May, 2013.

U.S.D.J.